

### **In the Claims**

Please cancel Claims 8 – 10, 19 – 21 and 25 – 27 without prejudice or disclaimer as to the subject matter recited therein.

1. (Original) A method comprising:  
monitoring utilization of a system resource;  
a data management process selectively performing I/O operations dependent upon the  
monitored utilization of the system resource.
2. (Original) The method of claim 1 wherein said data management process is executed as a  
portion of a data backup application.
3. (Original) The method of claim 1 wherein selectively performing the I/O operations  
includes:  
allowing said I/O operations to be performed in response to the monitored utilization of  
the system resource falling below a predetermined threshold; and  
preventing said I/O operations from being performed in response to the monitored  
utilization of the system resource exceeding the predetermined threshold.
4. (Original) The method of claim 3 wherein said I/O operations are performed in response  
to the monitored utilization of the system resource falling below a predetermined threshold for at  
least a predetermined amount of time.
5. (Original) The method of claim 3 wherein selectively performing the I/O operations  
further includes allowing said I/O operations to be performed in response to said I/O operations  
not having been performed for longer than a predetermined timeout period.

6. (Original) The method of claim 1 wherein said system resource is an input/output (I/O) subsystem.

7. (Original) The method of claim 1 further comprising selectively time slicing said I/O operations dependent upon the monitored utilization of the system resource.

8 – 10. Cancelled.

11. (Original) A system comprising at least one processor and a memory coupled to the processor, wherein the memory includes program instructions executable to implement a method comprising:

- monitoring utilization of a system resource;
- a data management process selectively performing I/O operations dependent upon the monitored utilization of the system resource.

12. (Original) The system of claim 11 wherein said data management process is executed as a portion of a data backup application.

13. (Original) The system of claim 11 wherein selectively performing the I/O operations includes:

- allowing said I/O operations to be performed in response to the monitored utilization of the system resource falling below a predetermined threshold; and
- preventing said I/O operations from being performed in response to the monitored utilization of the system resource exceeding the predetermined threshold.

14. (Original) The system of claim 13 wherein said I/O operations are performed in response to the monitored utilization of the system resource falling below a predetermined threshold for at least a predetermined amount of time.

15. (Original) The system of claim 13 wherein selectively performing the I/O operations further includes allowing said I/O operations to be performed in response to said I/O operations not having been performed for longer than a predetermined timeout period.

16. (Original) The system of claim 11 wherein said system resource is an input/output (I/O) subsystem.

17. (Original) The system of claim 11 wherein said system resource is one or more central processing units (CPUs).

18. (Original) The system of claim 11 further comprising selectively time slicing said I/O operations dependent upon the monitored utilization of the system resource.

19 – 21. Cancelled.

22. (Original) A computer readable medium including program instructions executable to implement a method comprising:

monitoring utilization of a system resource;

a data management process selectively performing I/O operations dependent upon the monitored utilization of the system resource.

23. (Original) The computer readable medium of claim 22 wherein said data management process is executed as a portion of a data backup application.

24. (Original) The computer readable medium of claim 22 wherein selectively performing the I/O operations includes:

allowing said I/O operations to be performed in response to the monitored utilization of the system resource falling below a predetermined threshold; and

preventing said I/O operations from being performed in response to the monitored utilization of the system resource exceeding the predetermined threshold.

25 – 27. Cancelled.